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AN OVERVIEW ON CRIME OF RAPE AGAINST WOMEN IN MEGHALAYA

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I. ABSTRACT

It is no doubt that rape is immoral seriously wrong. Rape is arguably among the crimes that can never be condoned. It's probably one of those wrongs that can never be forgiven. It is one of those wrongs that criminal legislation should forbid and punish. This paper aims to investigate the causes of increasing number of Rape incident against women in matrilineal society of Meghalaya. The study purpose to describe the question that why a larger section of women in Meghalaya still suffering from Rape and it is increasing day by day in this contemporary world. The methodology of the study is descriptive and qualitative in nature. This study is based on various reliable secondary sources. The findings of the study states that women are facing sexual assault such as rape in Meghalaya is directly interlinked with the weakness of law and policies poor economic background, illiteracy, illicit mindset and influence of social media.

II. KEYWORDS:

Rape, Meghalaya, Criminal legislation, Descriptive, sexual assault, matrilineal society and sexual violence

III. INTRODUCTION

The Indian Penal Code, 1860's Section 375 is the principal rape-related legislation in the country.[2] A sexual assault "involves sexual intercourse which has been committed by a group of people against another individual without that individual's consent" and that

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[2] INDIAN PENAL CODE, 1860, S. 375.

is referred to as rape[3]. Rape derives from the Latin rapere (supine stem raptum), indicating "to snatch, to grab, to carry off."[4] Rape is not an issue merely that affects one particular woman; it is caused by of sexist principles and convictions. It is a political and social concern that's closely linked to power inequalities between men and women. A threatening and violent act, rape restricts the victim her liberty of self-determination[5]. The number of cases identified in recent times reveals that violence against women has been growing at an alarming rate over time, which is indicative of the most degrading and inappropriate conditions faced by women worldwide. In India, rape drew widespread public attention following two incidents: a village council-ordered gang rape of a young woman in West Bengal in January 2014, and a deadly gang rape of a student in Delhi in December 2012.[6] Mukesh and Anr. V. NCT of Delhi and Ors., commonly referred to as the Nirbhaya Rape Case, was an incident in 2012 the fact that shocked the entire Indian subcontinent. This horrible crime impacted not just the Indian legal system but also the society and laws regarding rape.[7] It is noticeable from the Criminal Law (Amendment) Act of 2013 amended section 375 of Indian Penal Code, expand the definition of rape and increase punishments. Following the change that has been made, the minimum punishment was raised to 20 years from the previous 10 years in circumstances where the victim died or was left in a vegetative state. The term was previously increased from 7 years to 10 years. Furthermore, the age at which an accused person may be tried in circumstances of horrific crimes like murder or rape was

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[3] Contributors to Wikimedia projects. (2008a). List of districts of Meghalaya - Wikipedia. In *Wikipedia, the free encyclopedia*. Retrieved June 9, 2024, from https://en.wikipedia.org/wiki/List_of_districts_of_Meghalaya

[4] Contributors to Wikimedia projects. (2008a). List of districts of Meghalaya - Wikipedia. In *Wikipedia, the free encyclopedia*. Retrieved June 9, 2024, from https://en.wikipedia.org/wiki/List_of_districts_of_Meghalaya

[5] Dr. Vandana, Vol. II MARITAL RAPE - EXEMPTION UNDER INDIAN PENAL CODE: QUEST FOR RECOGNITION AND LIABILITY ILI LAW REVIEW 2–19 (2017).

[6] Perappadan,B.S.(2012, December 29). The Hindu. https://www.thehindu.com/news/national/gangraped-in-moving-bus-girl-fights-for-life-in-delhi-hospital/article4249530.ece, India Today. https://www.indiatoday.in/india/east/story/kangaroo-court-orders-gang-rape-of-woman-in-west-bengal-village-179087-2014-01-23.

[7] *MUKESH & ANR V. STATE (NCT OF DELHI) & ORS - Legal Vidhiya*. (n.d.). Legal Vidhiya - . https://legalvidhiya.com/mukesh-anr-v-state-nct-of-delhi-ors, Criminal Law(Amendment) Act 2013

modified from 18 to 16 years old. The people who perpetrated these acts of violence between the ages of 16 and 18 were held to be tried as adult. After the incident of Asifa Bano V. The Union Territory of Jammu and Kashmir, or the Asifa Bano Rape Case, whereby an 8-year-old girl from Kathua was brutally raped and then murdered in Jammu and Kashmir by a group of about 7 men along with a priest, another modification was made to the Criminal Law Act in 2018. The amendment specified that a person who rapes a girl younger than 12 years old is subject to the death penalty and a minimum term of 20 years.[8]

Meghalaya is a state in the northeast region of India.[9] At present there are 12 district in Meghalaya. Before the year 2022 there are 11 district in Meghalaya. The name of all district is East Khasi Hills(EKH), Ri Bhoi(RB), West Jaintia Hills(WJH), East Jaintia Hills(EJH), West Khasi Hills(WKH), South West Khasi Hills(SWKH), West Garo Hills(WGH), South West Garo Hills(SWGH), East Garo Hills(EGH), North Garo Hills(NGH), South Garo Hills(SGH) and Eastern West Khasi Hills(EWKH).[10] In the northeastern region of India, Meghalayan society is a single matrilineal society. Meghalaya's matrilineal societies are comprised of the Garos, Khasis, and Pnars.[11] Though Meghalaya matrilineal society, the Protection of Children from Sexual Offences Act, 2012 allegations recorded the highest percentage throughout 2007 to 2022.[12]

IV. BACKGROUND OF THE STUDY

The analysis of Meghalaya's crime statistics from 2007 to 2016 reveals that growing rate of violence based on sexual preference, with instances of assault, attack, seizure, and

[8] Contributors to Wikimedia projects. (2018, April 10). *Kathua rape case - Wikipedia*. Wikipedia, the free encyclopedia. https://en.wikipedia.org/wiki/Kathua_rape_case, Criminal Law (Amendment) Act 2018
[9] Deryck O. Lodrick & Chakravarthi Raghavan, *Meghalaya | History, Map, Capital, & Government*, ENCYCLOPEDIA BRITANNICA (July 26, 1999), https://www.britannica.com/place/Meghalaya.
[10] Contributors to Wikimedia projects, *List of districts of Meghalaya - Wikipedia*, WIKIPEDIA, THE FREE ENCYCLOPEDIA (Nov. 28, 2008).
[11] *Attention Required!*, Cloudflare https://www.mapsofindia.com/meghalaya/society/.
[12] Times Of India, *Meghalaya records 58% sexual offences*, Times of India (Nov. 29, 2023).

abusive behavior against women at home reflecting a developing tendency.[13] Meghalaya follows a matrilineal society where women are the head of the family and all decisions are taken by the head women of the family. In spite of the matrilineal society in Meghalaya, women have been suffering from sexual violence for many years, and it is continuously increasing day by day in Meghalaya.[14]

V. REVIEW OF LITERATURE

A. **Mangoli .R.N and Tarase, G.M. (2009)** " In this era of globalization there is an urgent need to motion our Criminal Justice System of India in maintain law and order situation of the country that one should feel safe and secure." " Legal literacy of women by creating awareness of rights among women through media, published literature and voluntary agencies can reduced the Crime against women. The study reveals the causes of Crime Against Women in India from 2003 to 2007[15]"

B. **Jamir, W. et al (2014)-"**The study shows the issues of Gender Discrimination in Meghalaya from 2001 to 2013. Alcoholism, lack of enforcement of prevailing laws that protect women, poor economic condition, negative influence of print and electronic media, lack of proper knowledge and awareness among women and inadequate sex awareness programmes are the major factor for increasing crime against women in Meghalaya."[16]

C. **Sangma, K.M.D, Subramaniyan Dr. J (2017**)-"The study reveals the issues related to rape and sexual harassment from 2007 to 2017. The study also shows that factors

[13] IJARIIE PEER REVIEW, OPEN ACCESS AND UGC APPROVED JOURNAL, https://ijariie.com/AdminUploadPdf/crimes_against_women_in_matrilineal_Meghalaya_ijariie6056.pdf (last visited June 1, 2024).

[14] Ibansara Mylliemngap, Parkordor Kharkongor(2020), Problems Related to Safety of Women in Meghalaya with Special Reference to East Khasi Hills District, International Journal of Research in Engineering, Science and Management, Volume-3, Issue-1, page-8-11.

[15]R.N Mangoli, Ganapati N. Tarase(2009), *Crime Against Women in India: A Statistical Review*, 2 International Journal of Criminology and Sociological Theory 292-301.

[16] Wangshimenla Jamir.et all (2014)"The Issue of Gender Discrimination in Meghalaya With Special Reference to East Khasi Hills," 19 IOSR Journal of Humanities and Social Science (IOSR-JHSS) 101-107 .

responsible for sexual violence are illiteracy, alcoholism, poverty, lack of awareness and lack of moral values. "[17]

D. **Das Dr.B (2019)-"**The author reveals that society needs to change to lower the incidence of sexual offenses in the state. Adequate information is required, including sex health and sex education, especially for the early adolescent demography to prevent them from developing false beliefs about the other gender and the process of reproduction. Furthermore, they should be raised with strong moral principles and taught that women should be respected for their dignity. This study shows the result of Spatial Pattern of Rape in Assam. Hence it also creates gap"[18]

E. **Chakraborty C. et al (June 2021)**-"High economic growth can deter crime against women. Along with it when citizens of a country concentrate on useful things like education which can be seen as investment in human capital formation, crime against women may plunge." "Increasing social insecurity of the homeless people and also psychological instability and anxiety out of poverty are the factors which may raise crime against women. The study shows that the result of growing rate of crime against women in the 28 major states of India over the period 2001-02 to 2014-2015.This creates gap in this study."[19]

From all the literature review it was found that there is no any research conduct on the theme "Crime of Rape" in Meghalaya from 2018 to 2022. This creates gap in the study.

VI. METHODOLOGY

The present study was done by the secondary data collected from the official website of Meghalaya police (Government of Meghalaya) record from the year 2018 to 2022 and other reliable secondary sources such as-books, magazines, journals, newspapers, and

[17] Kethy Mary D Sangma, Dr.J. Subramaniyan(2017)*Sexual Violence Against Women in Meghalaya*, Ilkogretim Online -Elementary Education Online, Vol-20, Iss-4, 1470-1477.
[18] Dr. BEEJATA DAS(2019), *A Study on Spatial Pattern of Rape in Assam*, IOSR Journal Of Humanities And Social Science (IOSR-JHSS) , Vol-24, Iss-4, 37-42.
[19] Chandrima Chakraborty, Anam Afreen, Dipyaman Pal (2021)"Crime Against Women in India: A State Level Analysis," The Journal of International Women's Studies, Vol.22, Iss.5, 1-18 .

research papers. This study is on the status of crime of Rape against women in matrilineal society of Meghalaya. This study is a descriptive in nature.

VII. OBJECTIVES OF THE STUDY

1. 1.To trace out the growing rate of crime of Rape against women in Meghalaya from 2018 to 2022
2. To find out the causes of crime of Rape against women in Meghalaya.

VIII. FINDINGS AND ANALYSIS

	EKH	RB	WJH	EJH	WKH	SWKH	WGH	SWGH	EGH	NGH	SGH
2018	10	40	13	5	8	1	6	3	0	0	3
2019	18	25	8	8	6	1	4	8	1	1	5
2020	14	12	4	24	12	2	7	3	2	3	1
2021	23	5	6	12	10	1	12	0	3	1	2
2022	21	8	8	2	10	2	12	0	4	3	2

Abbreviations=EKH-East Khasi Hills, RB-Ri Bhoi, WJH-West Jaintia Hills, EJH-East Jaintia Hills, WKH-West Khasi Hills, SWKH-South West Khasi Hills, WGH-West Garo Hills, SWGH-South West Garo Hills, EGH-East Garo Hills, NGH-North Garo Hills, SGH-South Garo Hills.

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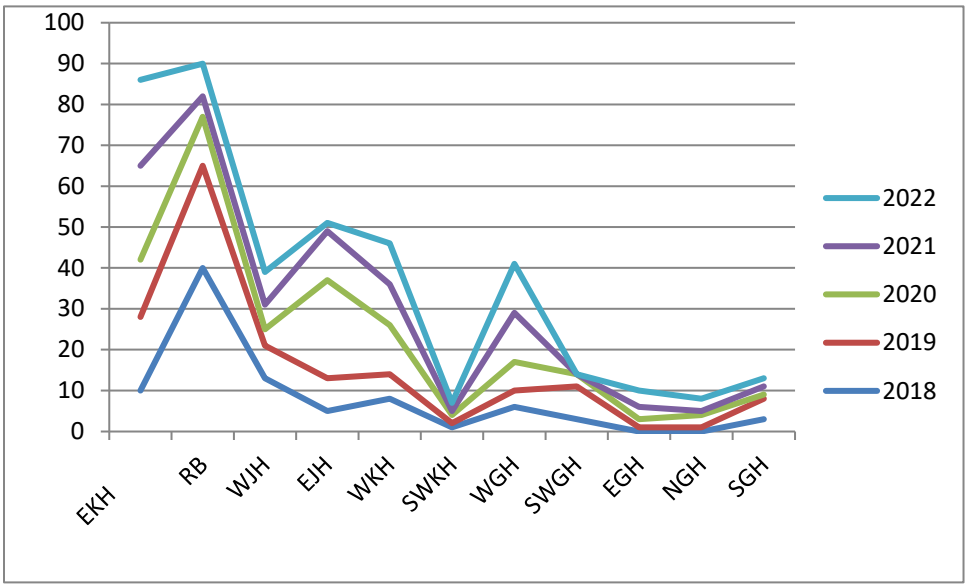

Source-official website of Meghalaya police

District-wise observation: The above table shows that the crime of rape is continuously increasing in East Khasi Hills district from 2018 to 2021. But the same is decreasing from 2021 to 2022. The difference in the same crime is 3 between the years 2021 and 2022. In the district of Ri Bhoi, the same crime has been continuously decreasing from 2018 to 2021, but in 2022, it increased to 3 cases. From 2018 to 2020, the crime of rape is continuously decreasing in the district of West Jaintia Hills, but from 2020 to 2022, the same crime is continuously increasing in the same district. In the district of East Jaintia Hills, the crime of rape is increasing from 2018 to 2020, but the same crime is decreasing from 2020 to 2022. From 2018 to 2020, in the district of West Khasi Hills, the crime of rape increased, but from 2020 to 2022, it decreased in the same district. In the district of South West Khasi Hills, the crime of rape increased from 2018 to 2020, but from 2020 to 2022, the same crime was the same. From 2018 to 2022, the crime of rape increased in the West Garo Hills district of Meghalaya. In the South West Garo Hills district, the crime of rape decreased from 2018 to 2022. From 2018 to 2022, rape cases continuously increased in East Garo Hills. In the district of North Garo Hills, the crime of rape has increased from 2018 to 2022. From 2018 to 2022, the same crime decreased in the South

Garo Hills district of Meghalaya. Year-wise observation: From 2018 to 2019, the crime of rape decreased in 7 cases in Meghalaya. But in 2020, the same crime increased, and from 2020 to 2022, the same crime decreased to 13 cases. In the year 2018 RB district ranked highest number of rape cases reported district whereas EGH AND NGH lowest ranked occurred of the same cases in the same year. In 2019 again RB district ranked highest and SWKH,EGH and NGH lowest ranked of the same crime. EJH district ranked highest and SGH ranked lowest district of Crime of Rape in 2020. In 2021 EKH ranked highest and SWGH district ranked lowest number of Rape Cases. EKH district ranked highest and SWGH ranked lowest number of Rape cases reported in 2022. From 2018 to 2022, the highest rape cases occurred in the Ri Bhoi district of Meghalaya, and the South West Khasi Hills district was the lowest ranked of the same crime. East Khasi Hills district is the second-highest rape-case-occurrence district in Meghalaya.

IX. FOLLOWING ARE THE CAUSES OF THE CRIME OF RAPE IN MEGHALAYA

A. Poverty-When working in the field, traveling home alone from work at night, or carrying out other daily tasks, poor women and girls are more likely than those from wealthy families to experience sexual abuse. Sexual violence against women in Meghalaya occurs when they go anyplace by themselves or gather firewood. The majority of sexual abuse cases are reported by women and girls whose families are disadvantaged, according to the Meghalaya police's first information report. Poorer women are more likely to experience sexual abuse at the hands of their husbands.[20]

B. Lack of literacy-People who have inadequate ability to read and write often have less control over their own lives, a lesser awareness of their legal rights, lower self-esteem, lack of leadership, and eventually a higher risk of being sexually assaulted. This is one of the causes of sexual violence against women in Meghalaya.[21]

[20] Kethy Mary D Sangma, Dr.J. Subramaniyan(2017)*Sexual Violence Against Women in Meghalaya*, Ilkogretim Online -Elementary Education Online, Vol-20, Iss-4, 1470-1477.
[21] Id.

C. **Psychological aspects**-It is essential to note that research studies have shown that some rapists are unconscious of the psychological harm or trauma they have done to their victims; some do not even realize the detrimental impact of rape on victims.[22]

D. **Educational System**: Because of "political reasons and the conservative nature of Indian culture," the Indian educational system has still not been able to carry out sex education in school. "Early sex education delays the start of sexual activity, reduces sexual behavior among youngsters, and encourages those who are currently sexually active to have safer sex," stated the World Health Organisation (WHO).[23]

E. **Dependence towards Drugs or Alcohol**-Alcohol consumption is very common in all the societies of Meghalaya. Alcoholism is also one of the major reasons for sexual violence against women. According to Mumbai based psychiatrist Dr. A. L. Deshpande, 70 out of 100 are alcoholics in Meghalaya (Meghalaya Times, 2017). Sexual violence is associated with perpetrator's alcohol consumption. Abuse of alcohol is one of the risk factor which increases the likelihood of sexual violence. Perpetrators often use substances to paralyse their victims in order to ease a sexual violence. Alcohol is the drug most commonly used by perpetrators to help commit sexual violence.[24]

F. **The accusation of wearing improper dress**-It seems that Indian society blames the victim's current circumstances on their choice of clothing. This was indicated by the fact that 68% of Indian judges polled agreed with this assertion. Straight forward yet severe.[25]

G. **The absence of Knowledge**- Since most rural women in Meghalaya are unaware of their legal entitlements and the laws that are in place to protect them from sexual

[22] Michael J Higdon*, *Queer Teens and Legislative Bullies: The Cruel and Invidious Discrimination Behind Heterosexist Statutory Rape Laws*, 142 (1820).
[23] Radha R Sharma, *The Problem of Rape in India: A Multi-Dimensional Analysis*, 73 International Journal of Managing Projects in Business 1-27 (2014).
[24] Kethy Mary D Sangma, Dr.J. Subramaniyan(2017)*Sexual Violence Against Women in Meghalaya*, Ilkogretim Online -Elementary Education Online, Vol-20, Iss-4, 1470-1477.
[25] Diganth Raj Sehgal, *Rapes in India: reasons and prevention - iPleaders*, IPleaders (Aug. 15, 2020), https://blog.ipleaders.in/rapes-india-reasons-prevention/.

assault, ignorance is the most compelling reason for sexual abuse. Speaking about the value of awareness campaigns, the vice-chairperson of the Meghalaya State Commission for Women notes that while their organisation has held numerous awareness campaigns, the majority of the attendees have been women, and very few men have expressed interest in attending. (Marak, 2021)[26]

X. LANDMARK JUDICIAL PRONOUNCEMENT RELATED TO RAPE IN INDIA

A. Mukesh & Anr. Vs State for NCT of Delhi & Ors or Nirbhaya case

"On the evening of December 16, 2012, a juvenile and five adult men viciously sexually assaulted a 23-year-old trainee physiotherapist on a moving bus in our nation's capital. She had an iron rod attack, which resulted in the removal of her intestines. Later, despite getting every therapy available, she passed away in the Singaporean hospital.

Four offenders received death sentences, while one accused committed suicide while incarcerated. A bench consisting of Justices Dipak Mishra, R Banumathi, and Ashok Bhushan unanimously decided to execute all defendants, except minors. The juvenile who sexually assaulted the woman and was also implicated in the incident was found guilty and given a three-year sentence to spend in a reformatory.

The Criminal Law (Amendment) Act, 2013 was passed in response to the Justice Verma Committee's recommendations. It amends the Indian Penal Code, 1860, the Code of Criminal Procedure, 1973, the Indian Evidence Act, 1872, and the Protection of Children from Sexual Offences Act, 2012 in relation to laws pertaining to sexual offences. Act expanded the definition of rape and established the death penalty for cases of rape in which the victim dies or is rendered permanently vegetative."[27]

B. Vishaka vs. State of Rajasthan and Ors., JT 1997 (7) SC 384 (Bhanwari Devi Case)

[26] Kethy Mary D Sangma, Dr.J. Subramaniyan(2017)*Sexual Violence Against Women in Meghalaya*, Ilkogretim Online -Elementary Education Online, Vol-20, Iss-4, 1470-1477.
[27] Mukesh & Anr Vs. State (NCT of Delhi) & Ors, (2017) 6 SCC 1..

"In terms of safeguarding women from sexual harassment at work, this was a historic case. It was the 1992 incident in which five men from the higher-class community allegedly gang-raped Bhanwari Devi, a lower caste social worker for the women's development project in Rajasthan, when she was attempting to prevent a child marriage in her village. She complained about the perpetrators at the police station, but no in-depth investigation was started.

Because of this, a large number of women's organisations and groups filed an appeal against the ruling. As a result, a public interest lawsuit about workplace sexual harassment was submitted to the Indian Supreme Court.

In the opinion of the Supreme Court, sexual harassment of a woman at work would violate her fundamental rights to life, liberty, and gender equality as guaranteed by Articles 14, 15, 19, and 21 of the Indian Constitution. The court came to the conclusion that the Act in question would be viewed as a breach of women's human rights.

The case established a great deal of rules and specifications that the employer and other accountable individuals or organisations must follow:

The employer or any other responsible party should be obligated to establish policies and processes for stopping acts of sexual harassment in the workplace. Creation of a complaint committee in each place of employment. A woman employee alone may lead this committee, and other parties or non-governmental organisations are welcome to participate.

Only women should make up half of a committee's membership. Only this committee would handle any complaints pertaining to sexual harassment of female employees; employers would be required to take necessary legal action in this regard.
The victim would get advice and recommendations from the committee regarding the next steps to take.

Therefore, these recommendations were the first of their kind to be developed for women's rights to gender equality and the freedom from harassment in both public and

private employment. The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 was passed by the Indian government in response to this ruling, and it went into effect on December 9, 2013. The Supreme Court of India's Vishaka Guidelines for the prevention of sexual harassment were replaced with this Act.[28]"

C. Mathura Rape Case (Tuka Ram And Anr vs State Of Maharashtra on 15 September, 1978)

"Fact-Adivasi girl Mathura's parents passed away when she was young, therefore she lived with her brother Gama. She was in the 14–16 year old age range. Due to their low income, her brother had to work as a labourer and she was employed as a maid at Nunshi's home, where she eventually met Ashok, Nunshi's nephew. After growing close, they made the decision to get married, however Gama disapproved of their union. Thus, Mathura and Ashok eloped. Due to this, Gama went to the local police station in Desai Gunj and filed a complaint on March 26, 1972, claiming that Ashok and his family had abducted Mathura, a juvenile. Head Constable Baburao noted the allegation. At 9:00 p.m., Mathura, Gama, Ashok, and his relatives were summoned for an inquiry. Baburao instructed them to leave when their statements were recorded, which was by 10:00 p.m., and he left for his home. Constable Ganpat begged Mathura to stay behind while they were all departing, telling her relatives to wait outside. He looked at her intimate areas before raping her in the area behind the police station. Head Constable Tukaram also touched her intimate areas.

Mathura reported the incident to everyone when she emerged. Dr. Kamal Shastrakar performed a medical examination on her after that. Although there are no physical injuries listed in the medical report, semen was discovered on her clothing. Dr. Kamal Mathura advised Mathura to submit a formal complaint against the two police constables.

[28] Vishaka & Ors. Vs. State of Rajasthan & Ors. (1997) 6 SCC 241.

Judgement-The case was heard in session court on June 1, 1974. The session court's honorable judges cleared the defendants, ruling that the sexual encounters were consensual rather than rape-related. They claimed that Mathura was accustomed to having sex and that there was a possibility that she and Ganpat had consensual sex because there was no physical harm to her. asserting that rape and sexual encounters are not the same thing. They also mentioned that Tukaram had fondled her as she was used to having sex. Sex with a woman less than 16 years old, with or without her agreement, is assault under Section 375(6) of the IPC. The court said that there is inadequate proof of Mathura's age.

In Tukaram v. State of Maharashtra, the Supreme Court of India overturned the Bombay High Court's decision and found the accused not guilty in September 1979. The Supreme Court ruled that there are "no marks of bodily injury," demonstrating that the accused did not oppose the conduct; as a result, it was voluntary sexual contact rather than rape. The Court further emphasized that Mathura willingly surrendered herself to the accused because she did not voice any opposition to the crime.

XI. MAJOR AMENDMENT IN CRIMINAL LAW AFTER THIS JUDGEMENT-

The Evidence Act was amended to include Section 114(A), which states that the court will assume that the victim did not consent to any sexual activity if she claims not to have done so. Custodial rape became illegal with the addition of Sections 376(A), 376(B), 376(C), and 376(D) to the IPC. In addition to defining custodial rape, the amendment provided rules for in-camera trials, prohibited the revealing of the victim's identity, and imposed harsher sentences. It also transferred the burden of proof from the accuser to the accused once intercourse was established."[29]

XII. EVOLUTION OF RAPE LAWS IN INDIA

A. Criminal Law (Amendment) Act, 1983

[29] Tukaram and Another Vs. State of Maharashtra (1979)2, SCC 143.

There was initially no demand for change following the passage of the Indian Penal Code in 1860 and the inclusion of rape as a crime punishable under sections 375 and 376. It wasn't until the Tukaram v. State of Maharashtra case[30], sometimes referred to as the Mathura Custodial Rape Case, that a 16-year-old girl in Maharashtra was sexually assaulted by a police officer. When the matter came before the session court, the officers were found not guilty because there was insufficient evidence linking them to the rape. Subsequently, the High Court overturned the order; however, on September 15, 1978, the Supreme Court declared that although sexual relations had occurred, the rape had not been proven.

People were quite unhappy with this judgement, which sparked several rallies against such a heinous injustice.[31] The Criminal Law (Amendment) Act, 1983, also known as the Criminal Law (2nd Amendment) Act, 1983, was introduced as a result of this movement.

B. Criminal Law (Amendment) Act 2013

The nation's outcry against unjust rape laws was sparked once more in 2012 after a paramedical student Nirbhaya[32] in Delhi was brutally raped, maimed, and ultimately killed in a moving bus. The Criminal Law (Amendment) Act of 2013 was based on public outrage and an array of non-governmental organizations. The Criminal Law (Amendment) Act of 2013 introduced tougher penalties for sexual harassment and rape charges, including the death penalty in cases of rape and the maximum sentence of imprisonment for similar acts. Additionally, stalking became illegal, and the penalty for attacking someone with acid was raised to ten years in prison. However, the inability of the Criminal Law (Amendment) Act, 2013 to make marital rape a crime was its worst flaw.[33]

[30] Tukaram and Another Vs. State of Maharashtra (1979)2, SCC 143
[31]Annapurna Chakraborty (2014), Critical Analysis of Development of Rape Laws in India; From the Social Transformation Perspective, SSRN
[32] Mukesh & Anr Vs. State (NCT of Delhi) & Ors, (2017) 6 SCC 1
[33] Yamini,(2015) Criminal Law (Amendment) Act 2013, Lawoctopus.

C. Criminal Law Amendment Act, 2018

One would think that as rape laws evolve, a safer atmosphere for women in our nation would follow, given the numerous revisions made with the intention of making rape provisions more stringent. Sadly, this is not the case. India experienced many horrifying rape incidents, but two in particular—the Kathua[34] and Unnao[35] rape cases—stand out in particular and prompted the Criminal Law Amendment Act, 2018 to amend the laws pertaining to rape. This act went into effect on August 11, 2018, after the public's desire to put an end to the pervasive rape culture was rekindled.

XIII. CONCLUSION AND SUGGESTIONS

In Conclusion, the alarming increase in the frequency of rape in Meghalaya is a complicated problem with numerous aspects that require quick response and constant effort from all societal sectors. "This is made worse by a culture that perpetuates victimization and shame, a broken criminal justice system, and ineffective law enforcement. Violence against women is a broad social issue, thus legislation won't be enough on its own. Jawaharlal Nehru, the late prime minister, had said, "Legislation by itself normally cannot solve deep rooted social problems." This statement is noteworthy. Legislation is required and crucial, so it may give that push and have educational components, as well as the legal punishments behind it, which help public opinion to be given a certain shape. However, one must also approach them in other ways[36]. Without a doubt, rape is a horrific crime that leaves its victims with terrible emotional, psychological, and physical effects."[37]

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[34] Tukaram and Another Vs. State of Maharashtra (1979)2, SCC 143
[35] C.B.I v. Kuldip Singh Sengar, (Cri. Case No. 1228/2018)
[36] Nehru JL. Speaking from the floor of parliament in the joint sitting of both houses on dowry prohibition bill, 1961 on May 6, 1961. In: Diwan P, Diwan P, editors. Dowry. 22nd ed. Allahabad (India): Allahabad Law Agency; 1961. pp. 78–84. [Google Scholar]
[37] Showkat Ahmad Dar (2023) *The Worrying Growth Culture of Rape in India*, 2 Traditional Journal of Law and Social Sciences 30-43..

It is consequently essential that the Meghalaya government respond to this issue very immediately. This involves making Criminal laws stronger to guarantee that offenders are held accountable, victim assistance and services, and implementing comprehensive preventive measures that deal with the underlying causes of the problem. In the state of Meghalaya it has seen a rise in violence against women as a result of Societal growth, globalization, Industrialization, psychological attitude, social disorder, lack of moral values, easily accessible pornography, use of drugs and alcohol. The study found that the status of women in the state of Meghalaya is higher than other state of India, because it follows matrilineal society. In this society women are the supreme of the family. Women are the regulator of family. In spite of matrilineal society, women of the state of Meghalaya suffering violence against women. And the same crime is increasing day by day.

Problems are too big for women to handle alone. It is important for women to understand men and vice versa. In order to get rid of the threat, both should collaborate. The use of alcohol in public settings, such as buses and trains, and during large meetings in institutions should be outlawed. There ought to be fewer establishments selling alcohol. It may be possible to raise the drinking age to thirty years old. Censorship of sexual content is necessary. Positive themes that decry violence and elevate victim rehabilitation ought to be shown. Pornography should be outlawed completely. It's possible that the websites are blocked.[38]

XIV. REFERENCES

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